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THE
Commonweal

WALTER DEAN BURNHAM

Kennedy's Court Appointments

To the Wilson Station

DAVID LITTLEJOHN

Film Festival at Cannes

MARYVONNE BUTCHER

A POEM BY RAYMOND ROSELIEP • AGEE TO FATHER FLYE
THREE VIEWS ON LATIN AMERICA • AN EXCHANGE ON THE
SUPREME COURT AND PRAYER • FORTY AMERICAN ARTISTS

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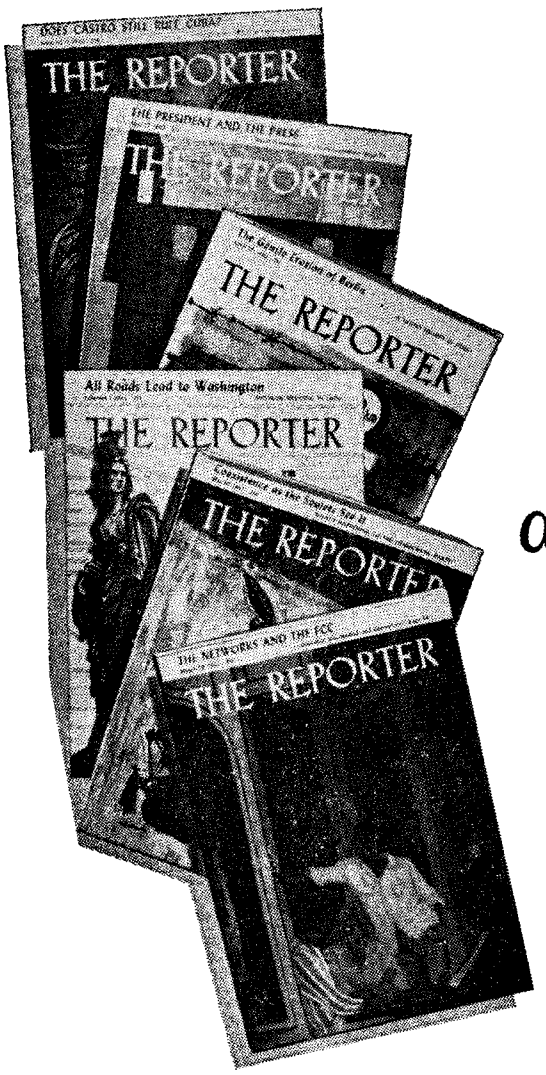

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THE COMMONWEAL

A WEEKLY REVIEW OF PUBLIC AFFAIRS, LITERATURE AND THE ARTS

On Warning Jews

AMERICAN Catholics have, hopefully, learned a few things about the power of bigotry and prejudice in the past few years. One thing they must have learned is that almost any use of pressure, legal or political, for the gaining of presumed rights and justice is bound to set off new waves of bigotry and anti-Catholicism. They must also have learned that the merits of one's case are beside the point; the bigot is, by definition, one who is immune to rational argument. Nor is the Catholic the only one to learn the lesson. The Southern Negro has found that his fight for integration and justice has served too often to harden the opposition of segrationists and even to arouse the enmity of Southern moderates.

No minority group, for that matter, has found it completely possible both to carry on a vigorous struggle for its claims to justice and equality and, at the same time, to avoid the danger of a back-lash of renewed hostility. Happily, few minority groups are deterred by this danger from pressing their claims. Our pluralistic democracy would surely be in great danger if, through fear of public opinion, a minority group member could not even risk taking his case to court.

The occasion for these thoughts is a very curious editorial in the September 1 issue of *America*. Our friends at *America*, it would appear, are greatly concerned about a resurgence of anti-Semitism as a consequence of the likely efforts of some Jews to expand upon and exploit the Supreme Court decision in the New York Regents' prayer case. Even now, as a result of that decision, they detect increasing signs of anti-Semitism, presumably among Christians. "We wonder, therefore," the editors of *America* write, "whether it is not time for provident leaders of American Judaism to ask their more militant colleagues whether what is gained through the courts by such victories is worth the breakdown of community relations which will inevitably follow them. What will have been accomplished if our Jewish friends win all the legal immunities they seek, but thereby paint themselves into a corner of social and cultural alienation?"

"The time has come," the editorial continues, "for these fellow citizens of ours to decide among themselves precisely what they conceive to be the final objective of the Jewish community in the United States—in a word, what bargain they are willing to strike as one of the minorities in a pluralistic society. When court victories produce only a harvest of fear and distrust, will it all have been worthwhile?"

WE FIND ourselves troubled by *America*'s line of argument here. We were not aware, to begin with, that the recent Supreme Court decision has provoked any increased anti-Semitism. Certainly none has come to our attention. But, assuming *America* has seen some signs of it, we find their method of combatting it very odd—and the questions they address to the Jewish community even odder. If there is, for instance, any real danger of anti-Semitism among Catholics, then it is Catholics who ought to be warned. Indeed, "warned" is too mild a word: they ought to be told as sharply as possible of the sin of any form of anti-Semitism.

Moreover, the *America* editorial suggests that some American Christians are badly in need of a refresher course on the nature of our political system. The course might begin with a reminder that one important function of our courts is to adjudicate, by interpreting the Constitution, between the claims of various groups within our society. Once this lesson has been digested, the student ought then to be told that our whole system would become meaningless if the various minority groups were made to fear any resort to the courts to judge their claims. We trust no Catholic would have difficulty grasping these points.

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To be sure, there are occasions when it could be unwise or imprudent for a minority to carry on a vigorous compaign to see its claims vindicated by the courts or by the people. It is perfectly possible for an aggressive minority to do its cause great harm, either by the kind of tactics it employs or by willfully or inadvertently ignoring the common good. But this is a problem to be solved by the minority group itself. Let them raise this question themselves and let them decide among themselves how they want to answer it. It does little good—as Catholics ought to know—to be told, much less warned, by others whether to press one's claims or not. On the contrary, if a minority group decides to wage a strong battle by legitimate legal or political means, then every other group has the minimal obligation to see that it is not deterred by extra-legal threats, warnings or social coercion.

We certainly do not believe, as some of *America*'s critics have suggested, that their editorial was a threat of any kind. Unfortunately, with very ample historical cause, it is not surprising that many Jewish leaders chose to interpret it in that light. If Jews are suspicious of Christians, who can blame them? And if *America*'s worries about a resurgence of anti-Semitism have any foundation, then Jews well ought to be suspicious. After centuries of Christian persecution of the Jews, it would be a monumental irony to accuse Jews of fostering anti-Semitism.

If the result of the prayer decision is to break down community relations, the fault of this breakdown will lie with those Americans who single out particular groups to blame for the decision. Not only "militant" Jews but many others accepted the decision; many, besides these same Jews, would like to see the import of that decision extended. That is their business, however much we may disagree with their aims. Let none of us, by word or deed, attempt to deter them from taking their case to court: that is what the courts are for.

New Guinea Settlement

HOLLAND'S agreement to cede West New Guinea to Indonesia is a victory for peaceful negotiation in a sense. A costly war has been avoided. Order is to be maintained during the transition period by Pakistan troops representing the U.N. The settlement even provides for a plebiscite by 1969 to see if the native Papuans accept Indonesian rule. It is an orderly agreement.

But that the West New Guinea dispute was settled through protracted negotiation between the contending parties, aided by the good offices

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of the U.N., should not conceal the fact that armed force was the determining factor. For defense of the territory the Dutch were dependent upon American aid. When they realized that none was to be forthcoming in this area of little general strategic importance, they yielded to a combination of continuous agitation, manpower not far from the scene and Soviet equipment.

All along, the native Papuans have found themselves in the middle of the argument. As the pressure for a solution increased, the Dutch made a belated attempt to inculcate feelings of Papuan nationalism among their highly primitive charges, who had made so little progress under their tutelage of many years. To bring so primitive a people to take part in a meaningful plebiscite by the required date will tax to the utmost an Indonesian regime whose control over its present dominions is so tenuous. This latest defeat for Western colonialism, then, is not by that token a victory for Asian self-determination. The primitive Papuans face a cloudy future.

Criminals and Refugees

EVERYONE is unhappy about the case of Dr. Robert A. Soblen, convicted spy now resisting deportation from Great Britain. He is sixty-one years old, in poor health, and facing a life sentence which was, other considerations aside, undeniably harsher than the sentences given his accomplices.

Dr. Soblen is nonetheless a convicted spy who exhausted every legal means to escape punishment for his crimes, who exploited and misrepresented his illness to win sympathy and to cast himself in the role of martyr, who fled from justice to the state of Israel, faked a suicide attempt to gain asylum in Britain and traded on anti-American feeling to escape British deportation.

Americans are at once embarrassed, angry and resentful at what has happened. Israelis are distressed and divided over Israel's part in the case. And now Britons have had the Soblen problem—with all its bitterness and confusions—thrust upon them.

We have no easy solution to this tangled affair, certainly. We see too clearly the conflicting claims of humanitarianism, international law and political pragmatism. But we would remind those Americans who insist that the criminal Soblen should be shipped back to the U.S. with no further nonsense that they are flying in the face of a principle supposedly dear to everyone who believes in protection for the individual under international law.

Like it or not, Dr. Soblen has been convicted of a political crime, and international law quite properly holds that political criminals are not extraditable. And if the principle is to mean anything, it must be extended to the fugitive from Uncle Sam as well as the refugee from Castro or Khrushchev. Even here at home, the guarantees of the Bill of Rights have sometimes been held to be suspendable in the case of those who were "clearly" undeserving of them. But surely our generation especially has learned to its sorrow that no exceptions are possible in the safeguarding of individual rights. Unless rights pertain to all, they pertain to none: that should be fundamental.

A Losing Battle

AS HE OFTEN does on such special occasions, President Kennedy struck a decidedly constructive note at the ceremonies at the San Luis reservoir in California. His six-point conservation program reminded his hearers of the duty of preserving and expanding this country's natural resources. This task is so often forgotten that conservation normally appears to be all but a lost cause. Theodore Roosevelt and Franklin Roosevelt did succeed in dramatizing it sufficiently. Gifford Pinchot and Senator Norris (who represented Nebraska but succeeded in establishing the Tennessee Valley Authority) fought for it so hard as to carry the day against interests directly intent on exploiting resources of the nation for their own private gain.

In America's early days these resources seemed to be virtually unlimited. The pioneers exploited and despoiled this vast natural endowment with scarcely a thought of the future. Today various commercial interests and supposed guardians of the public good are equally heedless. Wildlife is wantonly destroyed in the pollution of streams and rivers by sewage and industrial wastes. Mechanized logging clogs streams with silt, and vast quantities of valuable topsoil are washed away. New through highways and secondary roads reduce the remaining uncleared areas still further. Certain efforts to increase pasturage on Western grazing

SUMMER SCHEDULE

In keeping with the usual practice, The Commonweal appears on alternate weeks from the middle of July to the middle of September. The next issue will be dated September 21. From then on The Commonweal will resume its normal weekly printing schedule.

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lands threaten the very existence of various desirable species of American wild life there.

The trend is clearly in a negative direction. In both East and West, the states and federal government are currently creating occasional new preserves. But, ironically enough, some of these new developments in our National Parks and state reservations cut even further into the remaining unspoiled areas. By making recreation centers more accessible and providing additional facilities for the public, they often attract crowds of visitors that become overwhelming.

If conservation and the destruction of our natural resources continue at their present pace, future generations stand unquestionably to be deprived of much of this land's natural heritage. As Justice Douglas said in *Country Beautiful* (Elm Grove, Wis.), some months back: "Unless heroic measures are taken along a wide front, all will be despoiled. . . . We need to lock up thousands of acres of stump lands, thousands of acres of wasted and eroded areas, so that nature can recreate in another generation, or in another century, the increasing wonders of a new wilderness."

Two Symphonies in Every Pot

THE RE-ELECTION of Nelson Rockefeller as Governor of New York seems so certain that the Democrats have been unable to find anything that even looks like a candidate to oppose him. Yet the Governor is campaigning harder than ever before.

Obviously, Mr. Rockefeller is already running his 1964 race; obviously too, he is running not against a Democratic person unknown but against John F. Kennedy, Richard Nixon and Barry Goldwater, not necessarily in that order. Thus the Governor has been furiously eating hot dogs at Coney Island, dropping in on suburban barbecues, admiring prize pigs at upstate county fairs.

Thus also the latest example of the Rockefeller eagerness to battle on all fronts: the culture-fest held last week on the lawn of his country home at Pocantico Hills, New York. The Governor's chicken and champagne luncheon—with First Lady of the Stage Helen Hayes and composer Richard Rodgers as co-hosts—was unmistakably reminiscent of the cultural soirees held at the White House in recent months. If Mr. Rockefeller's guest list could not quite match the Presidential parties of Nobel Prize winners and international eminences of the arts, it was at least competitive, including such as Maurice Evans, George Balanchine, Marian Anderson and Willem de Kooning.

The competitive tone of the Governor's luncheon was underlined in speeches about the great work done — with Rockefeller encouragement — by the New York State Council on the Arts, which "can set an example for the rest of the country." Citing the "cultural flowering" which has taken place in New York, the chairman of the Council said: "Many states have expressed interest in the work of the Arts Council, and there are even rumblings in Washington."

This extension of the political arena to include the world of arts and letters is a new and strange phenomenon, but certainly it is a welcome one. For American politicians to vie with one another in their devotion to art and culture would mark a great hopeful step forward in a nation where up till now the term "Egghead" has been an epithet used to discredit a political opponent.

We are happy that Governor Rockefeller, past master of polls and trends, has judged it desirable to challenge his rivals in this area too. To his familiar determination to fight them on the beaches, fight them on the picnic grounds, fight them in the garment district, he has added some new political terrain. He will fight them also, it seems, at the concert halls, in the art galleries, in the theatres and museums.

Film Festival at Cannes

IT WAS with the liveliest pleasure and, indeed, relief that as the fifteenth Festival of Film pursued its sixteen-day course at Cannes this year, we of the Catholic jury became more and more aware of the seriousness—in the French sense of the term—of a great many of the films presented in competition. By which I do not mean that the majority of the pictures submitted were boring or lacked entertainment value. What our jury felt compelled to put on record was just this: that we were delighted to note that a large proportion of the movies on view were made with artistic and technical skill and attacked important spiritual problems of the day. Which makes, as they say, a nice change.

From Japan, for instance, came an interesting picture called—rather obscurely—*Cupola*, which dealt with the difficulties of an ordinary working-class family from the industrial outskirts of Tokyo, headed by a father with a fierce sense of the craftsman's worth, who will make no attempt to come to terms with modern gadgets or trade unions, still less understand his clever little daughter

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who wants the higher education of which she is worthy. The way in which this charming teenager developed from a tentative and mildly rebellious schoolgirl into a stable young woman, in spite of the physical and psychological risks she had to face, was admirably if a trifle heavily brought out. Then from India came a film by the always rewarding Satyajit Ray that posed a profoundly interesting problem. Entitled *Devi (The Goddess)* it told the story of a seventeen-year old girl, married to a young intellectual, who is left to look after her doting father-in-law while the husband goes away for a year's academic work. The ailing old man has a vivid dream which he interprets to mean that the girl is a reincarnation of the goddess Kali. We see the girl horrified at the burden put upon her, but too inexperienced and too submissive to protest, gradually falling under the influence of the super-imposed divinity. By the time her husband returns to deal with the situation, she already half-believes it *might* be true. The tragedy of an adored nephew's death, after she fails with the required miracle, does not bring her back to reality but instead pushes her finally across the frontier of madness. The beauty of the images and the hieratic good looks of the actors brought this unusual story to urgent life. A real festival film, this.

None of the Iron Curtain entries was up to standard this year, which was sad, but Russia's *When the Trees Were Tall,* though sentimental and technically undistinguished, presented us with a real situation set against a pastoral background alive with cuckoos and nightingales and morning mists across a wide river, which gave it a serenity out of proportion to its novelette-ish story. I liked it, because its hero was surprisingly imperfect—a middle-aged soak losing job after job, who impersonates, simply as a convenient method of solving his immediate difficulties, the long-lost father of a young girl working on a collective farm. Inevitably he is redeemed by her faith, of course, but it was not as silly as it sounds, and its morals, as in all Russian pictures, were beyond reproach.

England's *A Taste of Honey* impressed critics and public alike, which was gratifying for a Britisher who had always thought highly of the picture. In the final awards the young players, Rita Tushingham and Murray Melvin, took one of the two prizes for ensemble playing, the other going, naturally, to the stupendous quartet of your *Long Day's Journey Into Night.* Tony Richardson's poetic direction of this version of Shelagh Delaney's affirmation that life is worth living and love, however deviant, powerful for good was received with acclamation and not least for the way in which he handled the character of the young homosexual, whose tenderness and respect give Jo the best thing in her life. An excellent example of sobriety of treatment turning a potentially offensive theme into a constructive work of art.

The French entered three films this year, one of which, *Les Amants de Teruel,* was a preposterous, grandiose ballet film which made all and more of the mistakes inherent in the genre, and was only notable for the ravishing effects of some of Claude Renoir's color photography. This was the official entry and the arrival of the star, the fabulous Ludmilla Tcherina, for the evening performance—clad in white samite, mystic, wonderful—was quite something to see. Unfortunately, someone with a malicious sense of humor suborned a publicity-hungry starlet to arrive immediately after, cloaked from chin to foot in black velvet, which was dropped halfway up the palatial staircase to reveal a vestigial bikini. She was immediately removed by the police, but the photographers (outdoing *La Dolce Vita*) had seized their chance and people did not stop laughing for days. I have seldom seen a triumphal entry more effectively deflated.

No one would have dreamed of doing such a thing to either of the other two French pictures. Agnès Varda's *Cleo from 5 to 7* is a wonder of sensibility and technical achievement that makes many of the clever young men look like neophytes. It recounts with astonishing immediacy the wanderings of a young cabaret-singer—lovely, spoiled, rather shallow—during the two hours of a summer evening which must be filled in before she goes to the doctor to learn whether she has cancer or not. A study of panic, of the inefficacy of human affections, of the moral growth of personality under almost intolerable pressure, this is an immensely adult picture which will appeal to cinephiles for its brilliant technique and to general audiences for the universal relevance of its theme.

THE OTHER French film was Robert Bresson's long-awaited *Trial of Jeanne d'Arc.* Sixty-five minutes of austere, stripped, cut-and-thrust dialogue—based squarely upon the contemporary text of the actual trial—and played, as in all Bresson's films now, by non-professionals, this is a picture to rejoice the heart of a Catholic. For it is a wonderful piece of work from every point of view except, perhaps, the emotional, though I myself did not feel the aridity of which some people complained. Its projection of sanctity is deeply intellectual and yet at the same time completely cinematic. Bresson's obsession with confinement—the bars, the walls, the chains, the intolerable jailers—is here wholly subordinated to an explicitly religious end and magnificently achieves it. There was not a doubt that this was to win the Catholic prize and we were all the more pleased to find that the Grand Jury, too, had crowned it when we came to the last evening.

There were many other films of distinction to be seen: Michael Cacoyannis' tremendously effective *Electra,* with camera-work by Walter Lassally (also responsible for *A Taste of Honey*—he had a good festi-

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val!) of a haunting and archaic beauty, and a stunning performance from Irene Pappas in the title-role; *L'Eclisse,* the new Antonioni, as enigmatic as ever in its clinical exploration of men's inability to make contact with one another; Bunuel's new film, *El Angel Exterminador,* of such complexity of story and symbolism that after a whole evening's work on it with another Catholic critic, we still felt that we had barely begun to unravel the director's many levels of meaning. Nothing like so outrageous as *Viridiana,* nor so good a film, this is still the kind of thing that makes the cinema the most lively aesthetic experience today for many of us.

Twenty-eight films in fourteen days is a heavy stint: it is a tribute to this year's selections that by the end of the 1962 Festival I still felt stimulated, not punch-drunk.

MARYVONNE BUTCHER

(Maryvonne Butcher, an English film critic, contributes to Blackfriars and other periodicals.)

Walter Dean Burnham

Kennedy's Court Appointments

How much partisanship is there within the sacred precincts of our judicial system?

IN RECENT months the news media have been filled with accounts of spectacular clashes between the Kennedy Administration and certain of its publics, especially the business community. The smoke and din which have emanated from these encounters have, to some extent, buried another story which may have much long-range significance. This story concerns a persistent criticism of the quality and bias of the President's judicial appointments—a criticism which has much of its source in that most solidly established of the lawyers' professional organizations, the American Bar Association. The main thrust of the A.B.A.'s complaint seems to be that Kennedy has been too "political" in his appointments. That is, he has appointed Democrats almost exclusively to federal judicial office, and on occasion has appointed men whom the A.B.A.'s Committee on the Federal Judiciary had formally rated as unqualified. It has been implied that Kennedy has somehow acted in a less "objective," more partisan way in the matter of judicial appointments than his predecessors—especially President Eisenhower.

There appears to be a good *prima facie* case for the A.B.A.'s objections. When President Eisenhower retired from office last year the federal bench was politically balanced: 160 Democrats and 161 Republicans held judicial office. Moreover, President Kennedy has clearly yielded quality to expediency in several instances. Nevertheless, things are not always what they seem, especially when key governmental decision-makers are concerned. Nor can this particular controversy be placed in proper perspective without an examination of the political objectives and interests of the complainant. For in political affairs it is vital to know not only what the charges are but who is making them and why. Even the most lofty arguments on behalf of the common good can contain an interested, but hidden, motive.

The American Bar Association was founded in 1878 by prominent leaders of the bar who were interested in accomplishing a wide range of objectives, most notably the improvement of the chaotic standards of professional competence then prevailing among American lawyers and judges, and the clarification of the law itself. These improvements were sorely needed, and there can be no doubt that the Association has played a valuable role in elevating and rationalizing the standards of performance of bench and bar. But from the beginning there has always been another objective at least as central to the purpose of the A.B.A.—that of furthering the cause of political conservatism, often of the most narrowly professionalist kind.

The Association has used a wide variety of techniques over the years to achieve its ends. In the 1870's and 1880's it was a prime force in formulating the creed of constitutional laissez-faire in economic matters and in pressing courts, which were more than willing to listen, to accept it. During the forty years in which the social doctrines of the upper strata of the legal and business community were formally enshrined by the courts as immutable constitutional rights, the A.B.A. was in the forefront of those who extolled judicial review and fostered the myth of the Olympian objectivity of courts. The organized Bar quite naturally supported

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the last-ditch efforts of the conservatives on the Supreme Court to protect the economic "liberty" of corporations and individuals against the "socialism" of the New Deal. It was, of course, solidly opposed to F.D.R.'s "Court-packing" plan in 1937. But no sooner did the old conservative majority on the Supreme Court dissolve after 1937 than the A.B.A. quite self-consciously abandoned the Supreme Court as the last refuge of its brand of constitutionalism. By 1957-59 it had become a leader in supporting several major congressional attempts to overturn the Court's recent political offender decisions.

THROUGHOUT its entire history the Association has been identified with the interests and ideologies of the business-professional elite, though in this generation at least its center of gravity has tended to be located in the small town and medium-sized city rather than in the large metropolitan centers. Unlike the A.M.A., the organized Bar has never enrolled more than about half of the lawyers in the country under its banner. Moreover, its profound conservatism has repeatedly engendered protest from segments of its own profession.

In 1934, Justice Stone delivered a speech attacking in the harshest terms the Bar's narrow, short-sighted attitude toward the problems of a commonweal in the throes of depression. In Stone's opinion, the Bar had become "the obsequious servant of business"; it was "tainted with the morals and manners of the market-place in its most anti-social manifestations." During the 1930's a group of lawyers with strongly liberal-leftist views organized a rival, the National Lawyers' Guild, which purported to speak for the rank and file of the profession. In 1957, Chief Justice Warren resigned from the A.B.A. While he did not give his reasons, it can hardly be doubted that he resented the Association's hostile attitude toward him personally and toward the liberalism of the Court over which he presides.

The interlocking of hidden motives and openly declared views among the leaders of the Bar was perhaps never so dramatically disclosed as in the great controversy of 1916. In that year seven past presidents of the A.B.A., including William Howard Taft, Joseph Choate and Elihu Root, took the unprecedented step of publicly and vigorously opposing Senate confirmation of a Supreme Court appointment. The appointee's name was Louis D. Brandeis. Ironically enough, in view of his subsequent masterful performance on the Court, Brandeis was accused of lacking judicial temperament. But the overriding reason for this unprecedented hostility to an appointment was that Brandeis, who had a keen social conscience in addition to extraordinary technical competence as a lawyer, had revealed to the whole country the lengths to which pillars of society would go in looting the general public for their own private gain. For this, and for his refusal to accept the social doctrines of laissez-faire capitalism as sacred writ, the leaders of the respectable bar could not forgive him.

This incident is particularly revealing. To be sure, it is most unlikely that any given nominee who is disfavored by the A.B.A. is another Brandeis. Very probably most of those who are ranked as "unqualified" are in fact unqualified—political hacks and mediocrities propelled by their connections into an office beyond their competence. What the Brandeis incident suggests, however, is that the Bar may have more than one reason for rejecting a man and that it *is* politically unwise to permit it to have the last say.

One of the most unfortunate and confusing effects of the iron grip of a homogeneous ideology over men is that it permits them to shift unconsciously from one ground of political argument to another while defending the ideology's "immutable" values. The ideology is truth; Brandeis, though clearly brilliant, does not subscribe to it; therefore Brandeis lacks judicial temperament and is unqualified for judicial office. (Moreover, the shift in ground places the candidate in the weakest possible position. If leaders of the bar hold that a lawyer is unfit to be a judge, a strong initial case for unfitness is made.) But if we reject ideology and accept the basic postulate of a pluralistic society that there is more than one possible way to understand socio-economic reality and its legal relationships, a whole new world opens before us—a world that necessarily involves political controversy. Then, underlying reasons for conservative opposition to a Brandeis are disclosed and we can consciously take sides on the merits of the candidate's socio-economic views, assuming as we must that he is technically competent to begin with.

NOT surprisingly, the A.B.A.'s attitude toward judicial appointments and the tactics of influence it has employed since the critical political realignments of the 1930's reveal a cross-linkage between its professionalism and its political conservatism. In general it may be said that the Bar's tactical objectives have been to eliminate or minimize the influence of the political process in recruitment of judges and to bring recruitment as nearly as possible under the direct control of the bar itself.

On the state level, where popular election of judges is the general rule, the A.B.A. has been a moving force behind the "Missouri Plan" for initial executive appointments to judicial vacancies as they occur. This plan calls for the erection of several commissions for nominations at different court levels. The appellate commission consists of seven members: the Chief Justice of the state, three lawyers elected by the state bar association, and three men appointed by the governor, none of whom can be a public officeholder or an official of any political party. The commission nominates

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three men for each judicial vacancy and the governor must appoint from this list. At the next election, not less than a year after the appointment, the nominee's name is put on the ballot along with the question of whether he should be retained in office. If the public answers affirmatively, as it almost always does, he then serves a twelve-year term as appellate judge.

The ostensible purpose of the Missouri Plan is to overcome the evils of popular election and to improve the methods of selecting judges, making them as nearly "objective" as possible. But the real danger of "professional competence" as the sole criterion of judgment is rarely if ever acknowledged: the danger that it will convert the court into a closed elite corporation. Our society being what it is, the usual rewards of professional competence in the law are approbation by and emoluments from all the established economic institutions of the corporate world. If an executive may choose only from a list of the most successful members of the Bar, chances are good that he will appoint a man of respectably conservative socio-economic views. Any deviates such as labor lawyers, corporation counsel for cities or socially conscious members of regulatory agencies may well be shut out.

With a nationwide "Missouri Plan" in operation it would be difficult to see how a Brandeis or a Black could ever win appointment to any tribunal. Nor is the matter helped by a formal preservation of the system of judicial election. In a nonpartisan election, where the sole choice is between retaining a man in office or removing him, he will be retained in almost every instance. By this time we know enough about the way plebiscites work to realize that the question "Shall Louis Napoleon be made Emperor of the French?" will be answered by the public in only one way.

On the federal level, the Bar has been pursuing similar goals. One of its proposals is that no man without prior judicial experience shall be appointed to the Supreme Court. President Eisenhower, in his later appointments, almost converted this into a firm precedent. Such a requirement, of course, would work to exclude "political" appointments from the regulatory agencies or the departments, but it would likewise make it much more difficult for the President to appoint a man whose background was substantially legal scholarship. This precedent took deep hold during the Eisenhower Administration. Nothing could look more appropriate to a President who was neither a politician, a lawyer, nor a profound student of our political system than to delegate to the Bar a very broad responsibility for screening his judicial appointments in advance. The present system in which the A.B.A.'s Committee on the Federal Judiciary works closely with the Justice Department in preparation of statements of qualification for prospective nominees has already taken on the attributes of immemorial custom, but in its present form it is in fact less than a decade old. It constitutes a major advance in the Bar's efforts to obtain access to, and some control over, the nominating process.

PRESIDENT Kennedy can be faulted for some of the judicial appointments he has made. Moreover, many of us may strongly disapprove of introducing any kind of partisanship whatever into the sacred precincts of the law. Yet, viewed in the perspective of either the distant or the recent past, one need not be an apologist for the New Frontier to be at a loss to see what substance underlies the Bar's complaints about President Kennedy that could not apply with equal or more force to his predecessors. Turning to the issue of excessive partisanship in appointments, it can only be said that such partisanship is one of the most deep-seated traditions in our political culture. Everybody remembers President Adams and his "midnight judges" whom he appointed just before he yielded office to Jefferson in 1801. Perhaps fewer are aware that George Washington was determined to appoint only men whose views on the Constitution he could trust—that is, Federalists—to judicial office. This rule of lopsided partisan choice has remained substantially unbroken in practice. Taking the situation since Harding's inaugural in 1921, the following statistics suggest the continuity of the practice: Harding-Coolidge-Hoover (91% R, 9% D); Roosevelt (4% D, 96% R); Truman (9% R, 91% D); Eisenhower (94% R, 6% D); Kennedy (4% R, 96% D).

There are a number of reasons for the persistence of this pattern over time, but two are of particular importance. In the first place, the judiciary in the United States is, in the broad meaning of the word, the most political judiciary in the world. It exercises powers which elsewhere are regarded as political, and it makes choices which even in this country have come to be recognized as policy choices. Popular cynicism to the contrary, the two parties are coalitions which have quite sharply divergent ideological and attitudinal biases on social questions; they are coalitions which represent quite distinct and antagonistic sectors of the electorate. One indication, among others, of an individual's attitudes toward public questions is his partisan affiliation. A President with economic and political attitudes which, broadly speaking, are in harmony with those of the coalition that elected him, will quite natur-

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rally choose men for judicial office in large part on the basis of their sympathy with his outlook.

The point is that this has always been the case; for control over the judicial process means control over a crucial policy-making institution in our system of government. Moreover, the conservative leaders of the Bar at one time were prepared to be rather explicit about this. In 1920 ex-President Taft, soon to become Chief Justice, made no bones about his belief that the election of Harding was vitally necessary; after eight years of Wilson, conservatives urgently needed to retain their control over the federal judiciary to the end, as Taft put it, that "no man shall be deprived of his property without due process of law."

Perhaps it was the state of the political culture during the period 1896-1932 which made such frank avowal of objectives possible. Certainly during this era those people who spoke for the settled institutions of our society gained decisive public support for their views, and they were immeasurably aided by the disintegration of two-party politics in about three-quarters of the states after 1896. But the Great Depression and the New Deal destroyed this conservative consensus beyond repair. Faced, after 1932, with the resurrection of competitive politics, the emergence of a new majority coalition propelled largely by liberal-labor forces, and the capture of the Supreme Court by that coalition, the inherently anti-partisan bent of business-professional conservatism was forced to take another turn. Failing to retain its political hold over the judicial process, what was more natural for it than to seek to isolate the judiciary from any political currents whatever and to try to make it over in its own image in the name of "judicial objectivity" and "professional competence"?

There is a second factor which the critics seem to have overlooked: the Senate. Senators are renowned for their sensitive concern about what happens in their own bailiwicks; and no president is strong enough to have his way against the entrenched custom of senatorial courtesy. Indeed, just recently Kennedy sought to appoint a Republican to a district judgeship in Illinois, only to find an irate Senator Douglas on his hands. Douglas, who is certainly no spoilsman, has to worry about his power base in his state as do all his colleagues. One might suggest to the Bar that if it is interested in eliminating "politics" from judicial appointments, it might begin by securing the abolition of senatorial courtesy and perhaps the complete centralization of the party system as well.

So far as the quality of President Kennedy's appointees is concerned, there seems on the whole to be little actual reason for believing that they are significantly below the par set by Eisenhower and earlier Presidents. Chief Justice Warren has recently expressed himself as satisfied with their overall level of competence and ability, and he seems to be reflecting a growing consensus on this issue among knowledgeable observers. Nevertheless, the criteria which the President uses should not be those of the acceptable past alone. Nor should he be content to stand passively by and let the political system make his choices for him. He has a deep responsibility not only for preserving the present level of judicial performance but of improving it.

When any President sacrifices the higher values of an intelligent administration of justice to the pressures of expediency, he does the entire nation a serious disservice. It is for him to bear the responsibility for these appointments, for we as consumers of law and government will have to live with them for a long time to come. It is for the organized Bar, with its expertise, to do what it can to help screen out the obvious political hack and the incompetent, and to single out the brilliant. But it is for the rest of us to recall one of Clemenceau's keenest insights. War, he observed, was much too important a business to leave to the generals. The selection of judges is likewise far too significant a matter to leave to the lawyers.

Ars Poetica

Somebody asked Hemingway how it was he
could "write better when in love." The grizzly vet
of letters said he'd rather not expound on
that topic (which he brought up in the first place,
but like Pilate, didn't always crave answers).
"Love is the word of all work," George Eliot
claimed somewhere, though hers is hardly a fairer
coverage. And Frost booming "It takes courage
to be a poet" hits at the belly of
our art, and often enough below the belt.
It takes love all right: what you feel and have felt;
what you can scrape from the upper mind, and scrap
mercifully from the lower if you don't
tunnel too hard or think prayerfully on Freud.
You rub elbows of the Francis and Thomas
in you until Assisi and Aquin bump
heart and head, and the collision may be good.
You hike beast and angel over common road,
managing carefully never to follow
the premises to their inevitable
conclusion, the way of the lover and jack
knife allusion. You couple and uncouple
soul and flesh—you don't usually tell which—,
neither the catcher nor the caught in the rye.
And grumble when people nudge you to confess
your high seriousness. This is no ballet
of bloodless categories; love frames the lie
and riddle, as in that painting of the big
Table where the salt was spilt
(and whodunit was a game played by a spy).

RAYMOND ROSELIEP

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DAVID LITTLEJOHN

To the Wilson Station

Edmund Wilson's crusade against cant

EDMUND WILSON has been among us very noticeably now for forty years. He has written on Marxism and the Socialist Idea, on war, on religion, on mass culture, on the social and political scene in America and Europe, on the Iroquois, on the Dead Sea Scrolls; most prodigiously, of course, he has written on literature. Never one to set boundaries to his interests, he has taken on all literature, almost everything written, in fact, as his proper realm—American and European, contemporary and classical, the long-established standard and the ephemeral best-seller.

"Neglected masterpieces" are as much his field as Howard Mumford Jones', and Wilson seems never so happy as when he is reinflating a shrunken reputation, calling back for reassessment the Kiplings and Pushkins and Edna St. Vincent Millays. *Patriotic Gore* (Oxford U. Press. $8.50) is, among other things, a long and agreeable chain of such revaluations, in which Wilson dips for his subjects far down into the subliterature of later nineteenth century America.

"The race, the milieu, and the moment," was the way the French critic Taine defined his approach to literature, and Taine's approach—if less flexible, more doctrinaire—is also Wilson's. It was Taine's *History of English Literature,* on the shelves of his father's study in New Jersey, that first opened for Wilson a view of the critical profession. If Wilson is the supreme American literary critic of the twentieth century, as I think he assuredly is the most influential, the most nearly universal, the most often "right," it is doubtless because he is so much *more* than a literary critic; because he is at home in, can wander so freely in, all of literature's adjoining realms.

Wilson is, by profession, a journalist. He is the most distinguished living representative of the fine tradition of "literary journalism," the tradition of Johnson, Hazlitt, Poe, St. Beuve, and Shaw, all of whom managed to write memorable and lasting criticism under the ever-recurring deadlines of the periodical press. Most of his books, outside of a novel which I have never read, were not "written" so much as "collected"—revised, of course, often considerably, and occasionally ordered about a more or less constant theme—but collected nonetheless, primarily from his regular contributions to the *New Republic* through the twenties and thirties and since then from the *New Yorker.* Readers of the latter magazine will recognize many chapters of *Patriotic Gore.*

The Shock of Recognition (1943), an assembling of major American authors' writings about one another, is quite frankly an anthology; Wilson's contribution was that of the conscientious and critical editor, the moderator selecting and introducing his guests. So too with his invaluable reconstruction in 1945 of *The Crack-Up* of F. Scott Fitzgerald, his friend and Princeton classmate, which Wilson pieced together out of published and unpublished fragments by Fitzgerald and his friends. *The Shores of Light* (1952) and *Classics and Commercials* (1950), now distilled and blended into *A Literary Chronicle,* are collections, primarily, of his book reviews, and *The American Earthquake* (1958)—"A Documentary of the Jazz Age, the Great Depression, and the New Deal"—represents the best of Wilson's non-literary journalism during his most active, most influential years.

The Triple Thinkers (1938) and *The Wound and the Bow* (1941), while still collections—still, if you will, journalism—are on quite another plane. These two books include nineteen of Wilson's more extensive, more ambitious literary studies, and it is on these that his reputation as a critic, apart from that as a chronicler or historian, must ultimately depend. These, the best of these, are not pieces churned out for the deadlines of the weekly press, but exhaustive thoroughgoing attempts to survey and define the achievement of major (and of course some minor) authors. It is in these essays that he uses most effectively the Wilsonian tools of psychological biography and the social, historic, and economic background—the race, the milieu, and the moment—to derive, explain, and elucidate the literary work. These essays, it might be said, firmly established for our time the validity of the Wilsonian approach.

TWO OTHER collections come much closer to being "books," in the usual sense: *Axel's Castle* and *To the Finland Station. Axel's Castle* (the title—Wilson seems to enjoy cryptic titles—refers to a story by Villiers de l'Isle Adam, and serves as a symbol for the modern artist's apparently necessary detachment or escape from the world) is a brilliant example of the defining and directing force that Wilson at his best can be. This was the book, as the jackets of his subsequent books remind

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us, that "made" Edmund Wilson: and with reason. At thirty-six in 1931, he was able to see in the new literature of the decade just past something fundamentally important, to track it down to its origins, explain and evaluate it with uncanny perception to a public then totally befuddled, and predict, with accuracy, its inherent qualities both of permanence and decay.

Still, we remember *Axel's Castle* today, like the rest of Wilson's books, as a collection of individual essays, of studies more or less perceptive—strongest on Proust, weakest on Yeats; strongest, in fact, as always with Wilson, on prose writers, weakest with poets—of authors who were not, as he tried to claim, all "symbolists," however loosely defined, but alike only in all being "modern," and all—or all but Gertude Stein—being great. Presiding over the birth of modern literature, it was Wilson's rare good fortune to have guessed this correctly.

To the Finland Station (1940) explains a great deal about Wilson. It is his one work of history, and, though chapters of it too appeared independently in *The New Republic* and *Partisan Review,* his most determined and well-sustained effort to write a single, extensive book on a single theme. The theme is "The Revolutionary Tradition in Europe and the Rise of Socialism: A Study (*always,* "a study") in the Writing and Acting of History." Primarily, it is a story of men rather than movements, a personal and ideological biography (for three-fourths of the book) of Marx, Engels, Lenin and Trotsky. Wilson ends the story as Lenin returns from exile "to the Finland Station" in Moscow, to assume control of the party in April of 1917.

But, as with *Axel's Castle,* Wilson's first effort is to track down this phenomenon to its source. For the first time in man's career a theoretical interpretation of history was able to enfix itself as political fact; a written abstraction of historical process actually began to determine the historical process to come. How did it happen? Where did it all begin? Yeats and Eliot we tracked down to Nerval and Poe and the French Symbolists; Marx and Engels send us back now through Michelet to Vico, then forward through the Revolutionary-into-Socialist "tradition" of Renan, Taine, France, Babeuf, Saint-Simon, and the socialist communities.

Wilson the historian and Wilson the critic are in fact very much the same man. (In *Patriotic Gore* the roles, for the first time, are of equal importance. The book represents, in several ways, a synthesis, a culmination.) This "history by anecdote"—who can forget Jenny Marx? —by colorful incident and domestic detail is as readable and revealing as it was in the essay on Dickens. A recent reviewer has typified Wilson as "the critic as frustrated novelist," the historian who would always rather be writing novels. True or not, in *To the Finland Station* he has certainly done the next-best thing. And he does, in the brilliant chapter, "Karl Marx: Poet of Commodities and Dictator of the Proletariat," as thorough and helpful a job of untangling *Das Kapital* as he did for *Finnegans Wake.* "Wilson the Critic, too, could not resist offering detailed analyses of the prose styles of each of his heroes. I doubt that it would have occurred to any other historian to have studied Michelet through his sentence-rhythms, or Marx through his imagery. (Grant, Lee, Sherman and Co. come in for the same treatment in *Patriotic Gore.* It is only unfortunate that there is no Wilson around to analyze as effectively the master's own prose style—the most appropriate, lucid, and readable of *any* practicing critic, and surely a major factor in his continued success.)

BUT IF the critic has influenced the historian, even more significantly has the historian influenced the critic. It was no momentary whim that sent Wilson back to trace out the tangled path to the Finland Station. Edmund Wilson was as thoroughly involved as any major American writer in the social and political ferment of the thirties; his own half-participation, in fact, in our left-wing literary movement added incalculable (and specious) distinction to this short-lived and wrong-headed school, lately chronicled in Daniel Aaron's *Writers on the Left.* "The class conflict, as I say, was perfectly real," he insists in his introduction to *The American Earthquake,* and we try very hard to believe, "as well as the catastrophic breakdown of the uncontrolled competitive system; and my confidence in the Soviet Union to put into practice its Leninist ideals was implied in my whole attitude toward what was going on at home." Wilson was the one really distinguished critical mind in the country to have been, if you will, "taken in." There were others, noisier, more doctrinaire —Granville Hicks, Michael Gold, Max Eastman, John Dos Passos—but only, uniquely in Wilson was the Marxist seed planted in a soil so rich, so deep, so fertile.

The critical organism that resulted has been a complex and many-splendored thing. Marxism, of course, the peculiar slant of his social conscience, was only one of its distinctive contributing factors—the Marxism that is in itself only a result of the pervasive and deeper-lying social-historical consciousness so fundamental to all of Wilson's work. He himself insisted (and quoted Marx, Engels, and Lenin in defense) that literature and literary criticism must remain free from the doctrinaire standards of even the noblest ideologies: half his battle through the thirties was with comrades who found his own criticism altogether too lenient, too bourgeois. Still, no one can remain entirely pure: ". . . and in the fall of 1864, while Dickens was writing *Our Mutual Friend,* the Workers' International under the guidance of Marx, was being organized in London. This may have had its influence on Dickens . . . because the final implication of the story is—to state it in the Marxist language—that

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the declassed representatives of the old professional upper classes may unite with the proletariat against the commercial middle class." Mike Gold could not have said it better.

I do not mean to suggest that the impress of Marxism on Wilson the Critic has been wholly pernicious. In the case of Dickens, despite the above, it has been invaluable. It was, after all, the conditions of Dickens' England, his Coketowns and Marshalsea Prisons and Tom-all-Alone's that gave rise to *The Communist Manifesto*. My point is only that the impress is there, the cause of both valuable insights and strange perversions in the critical work. Wilson's championing of Gogol and Pushkin, quite simply, began when he learned to read Russian. And one cannot help but think that the occasionally chill, even spiteful, anti-idealistic mythoclast of today, the Wilson of *A Piece of My Mind* (or the hackle-raising Introduction to *Patriotic Gore*) is partly the product of a social ideal gone sour, the result of a God That Failed.

PATRIOTIC GORE fits perfectly into the Wilson pattern. It is, like the others, a "non-book," a digressive, though as always eminently readable collection of very personal, impressionistic critiques of about thirty distinctly "minor" authors—generals, diarists, letterwriters, and propagandists as well as novelists and poets—more or less associated with the Civil War. It is *not*, and this should be made clear, really about either the Civil War or American Literature: aficionados of the first are I think bound to be a bit disappointed, and students of literature with a capital L may be dismayed to find Emily Dickinson dismissed as "a bit overrated" and Whitman scored off in five pages, while Sidney Lanier is quoted at length and the novelist John W. de Forest given seventy-three pages all his own.

But this is all, as I say, to be expected: Wilson has been resurrecting the dead for decades, and what he is doing here for the likes of Frederick Tuckerman and George W. Cable he has done before for Kipling and *Philoctetes*. Other Wilsonian characteristics, too, might have been predicted: the rich historical imagination, the vast range of literary reference, the open-faced delight in his personal tastes, convincing and honest evaluations (scattered here and there with the bizarrest conjecture), the vivid reproductions of a "reading experience," his penchant for analyzing everyone's prose style, the correct and lucid quality of his own. And never, perhaps, has Wilson's famed "tin ear" for poetry been so much in evidence: the doggerel he quotes at length (and obviously enjoys) is almost as bad as his own.

For all of its digressiveness, *Patriotic Gore* does have a theme, though, a theme half-stated in the title. ("Avenge the patriotic gore/That flecked the streets of Baltimore,/And be the battle-queen of yore,/Maryland! My Maryland!") It is the myth of the "righteous war" implicit in such battle cries that Wilson is here setting out to smash. The book, in fact, attempts to puncture any number of myths that float about our concept of the Civil War: the Lincoln Myth, the Myth of the Old South, the Myth of Divine Intervention, "The Union as Religious Mysticism," the dream that the South was fighting for the integrity of its sovereign states, or the North to free the slaves. Wilson—see his essay on the subject in *A Piece of My Mind*—has come to hate war as much as he hates cant, and to despise above all the self-righteous warmongering propaganda that disguises itself as patriotism. There is something almost sick in his disgust, but he does have a point: and by returning to the candid confessions of participants and observers, both Northern and Southern, by quoting the unfeigned and open reactions that lie beneath the murk of sectional propaganda, he may, one hopes, go a long way to help clear the national mind of cant. (One hopes, but one wonders: *Life* magazine, in a flurry of "patriotic" indignation, has just editorially informed Mr. Wilson that "there *was* a right and a wrong to the war"; and that his observations on the subject "have nothing to do with Civil War literature.")

Even so, there *is* something distasteful about the older Wilson, the Wilson of *A Piece of My Mind* and the *Patriotic Gore* introduction—"crochety," *Life* calls him—the Wilson who so obviously identifies himself with the atheistic, materialistic, inhumanly pragmatic Justice Holmes to whom he devotes his last fifty-three pages: the man who insists that "The word *God* is archaic, and it ought to be dropped by those who do not need it for moral support"; who blames half the Civil War—even he must have his scapegoat—on an un-American something he calls "Calvinism." Like Holmes, this Wilson thinks that "Love" is a meaningless concept, and that State-controlled breeding would indeed be a Very Good Thing. He has taken increasingly to demonstrating, either through popular biology or metaphoric analogy, how men are just other animals, sea slugs, army ants, lyre-birds, with the same amoral, predatory urges.

This may all, as I suggest, be partly just the acrid residue of an evaporated social ideal. It may be the final result of too insistent a lifelong devotion to reason, of clearing the mind, perhaps, of too much cant. It may even—it is easy for me to say now—be simply the results of age. But Wilson, after all, has done his work—few have done more—and it would be tasteless to carp now. What is more, it would probably take another Wilson to understand the man as he deserves.

Unfortunately, there isn't likely to be another Wilson, another critic with the unique combination of experiences, interests, and abilities that have made Wilson the Olympian journalist, the supreme American critic of our time. Anyone today who came close would be rushed off to graduate school, and not the *New Republic;* and be never heard from again.

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"Religion and the Supreme Court"

Baltimore, Md.

TO THE EDITORS: I question the serene assumption of Mr. Leo Pfeffer in his article "State-Sponsored Prayer" [July 27] that we must now accept once and for all Mr. Justice Black's *Everson* interpretation of the establishment clause of the First Amendment as demanding absolute, non-cooperative Church-State separation. Moreover, I am impelled to point out what I think is a further misinterpretation on Mr. Pfeffer's part. It involves the data available to historians as to the *reason* which prompted some Catholic leaders of the nineteenth century to oppose the type of religious exercises which occurred in some American public schools.

The intention of the Catholic leaders was not to work for "the secularization of American public education," as Mr. Pfeffer implies, but to combat what seemed to them an attempt to use some of the religious practices of the day, Bible-reading sometimes included, to harm the faith of Catholic pupils. According to Father John Bapst, one of the leaders cited by Mr. Pfeffer as "opposing Bible reading in the public schools," a member of the 1853 School Committee of Ellsworth, Maine, had declared: "We are determined to protestantize the Catholic children; they shall read the Protestant Bible or be dismissed from the schools; and should we find them loafing around the wharves, we will clap them into jail."

One thinks of the 1844 plea of Bishop Francis P. Kenrick to the School Board of Philadelphia that Catholic children in the public schools have read to them the Douay Bible: "I do not object to the use of the Bible provided the Catholic children be allowed to use their own version." "Catholics have not asked that the Bible be excluded from the Public Schools," read Bishop Kenrick's later statement to the city press, "they have merely desired for their children the liberty of using the Catholic version. . . ."

The Bible-reading and other similar controversies of the nineteenth century were not attempts to secularize the public schools. Rather were they wrestlings with the great American dilemma of how to keep religion *in* the schools and how, at the same time, to keep *out* such sectarianism as would violate the consciences of different religious groups. . . .

(Rev.) William Kailer Dunn

St. Paul, Minn.

TO THE EDITORS: When Mr. Leo Pfeffer describes the decision outlawing the public school recitation of the New York State Regents' prayer as "completely consistent with . . . all the decisions in the area of the relationship of church and state handed down by the Supreme Court in the past fifteen years," he hardly puts the decision in a favorable light.

It is naive of Mr. Pfeffer to think that until February 10, 1947, no one, including the men responsible for drawing up and adopting the First Amendment, really knew what the words of the amendment meant. He betrays not the slightest awareness that Justice Black's *obiter dictum* in the Everson bus case, which he approvingly quotes, ran counter to the interpretation put upon the amendment by all constitutional scholars and responsible authorities for 160 years. Up until the time of the Everson case, no Congress, President or Supreme Court had ever construed it to mean what Justice Black said it meant. Furthermore, neither he nor any other member of the court gave one relevant, accurate citation in evidence that the court's interpretation was correct.

The passage quoted by Mr. Pfeffer declares the establishment clause to mean that no state may set up a church. How can it mean that? The word "state" does not even appear. Congress is not a state. Nor does the amendment make any reference to aid to "all religions."

What the establishment clause was designed to avoid was union of any one religion with the federal government. The men who framed the Constitution wanted the matter of establishment kept out of the hands of Congress and left to the wishes of the individual states. The man mostly responsible for the wording of the First Amendment was James Madison who, according to the Annals of Congress, "apprehended the meaning of the words to be, that Congress should not establish a religion, and enforce the legal observation of it by law, nor compel men to worship God in any manner contrary to their conscience." Not a word about what the states may do, not a word about aid to religions. That is how Madison understood the amendment, that is how every Congress, President and Supreme Court understood it until recent times. The Everson case marks the first time a Supreme Court construed it in any other way.

Many members of the First Congress believed in established religions in the states. Establishment or disestablishment was for the states to decide, both before and after ratification of the amendment. Some of the states originally had established churches, and many of the early state constitutions set up Christianity as the state religion. Of the original thirteen, the only state that had neither an established church nor a religious test for office was Rhode Island. In Massachu-

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setts, where Congregationalism was the established religion, disestablishment did not come until 1833. Even after that, Protestantism was favored in a number of states: in New Hampshire, until 1877, only Protestants could be elected to the national Congress. In New Jersey, until 1844, only Protestants could hold public office of profit or trust. These and other similar laws were eventually abolished by the only means possible—state action. The amendment gave Congress no jurisdiction in the matter.

The Black opinion quoted by Mr. Pfeffer holds that "no tax . . . can be levied to support any religious activities or institutions." As a member of the First Congress, Madison served on the joint committee which set up the chaplain system for the Senate and House of Representatives, using tax money for the purpose. As President, he used tax money to support Army and Navy chaplains and to promote religion and religious education among the Indians. Jefferson before him had used tax money for identical purposes. And for about 100 years after the adoption of the First Amendment, Congress continued to use public funds for work by Protestant missionaries among the Indians.

If the Black-Rutledge interpretation of the amendment was correct, then Congress had been acting unconstitutionally for 160 years during which it passed law after law concerning religion or religious institutions, and Madison did not know the meaning of the amendment he himself had drafted.

It is an unpleasant pair of alternatives that Mr. Pfeffer offers us: either Madison and Jefferson did not understand the meaning of the First Amendment, or knowing what it meant they violated their oath to uphold the Constitution.

What one would like the framers of the Constitution to have thought and said is a matter of preference. But when one comes to determine what they intended their words to mean, one must put preferences aside and study history.

H. J. FREEMAN

THE TABLET

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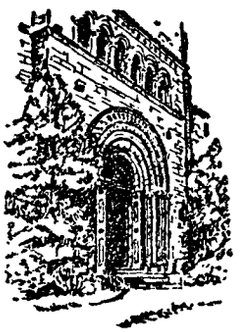

Prospective students should make early application

The Author Replies

New York, N. Y.

TO THE EDITORS: Father Dunn asserts that the reason Catholics opposed religious practices in the public schools during the nineteenth and early twentieth century was not that they favored "secularization for its own sake" but that they feared that these practices would harm the faith of Catholic pupils. But is that not the same reason that motivated the parents of the children attending the New Hyde Park school, as well as so many others who oppose religious practices in the public schools?

One of the major reasons for the separation of church and state and the secularization of public schools is that this is the surest way of preventing injury to the faith of persons belonging to minority religious groups or to no religious groups at all.

It is the ever-present danger of proselytization that has been the chief motivation for opposition to religious practices in the public schools. It is for this reason that I agree with the statement made more than a century ago by Bishop Hughes of New York: "If the children are to be educated promiscuously as at present, let religion in every shape and form be excluded."

The fact of the matter is that Catholic fears for the faith of their children led, as much as any other factor, to the secularization of American public education.

What is disturbing to me is that now that the Catholic community has reached a state of security where it

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no longer has this fear, so many of its leaders fail to recognize that other minorities have not yet achieved this status and that there always will be minorities who will be struggling to achieve such status.

It is simply impossible in one letter to reply to the statements made by Mr. Freeman. It is just as easy to make statements unqualifiedly contradictory to what Mr. Freeman says as to make the statements he does. I can only refer Mr. Freeman and any other interested reader to my chapter in the book, "Religion in America," edited by John Cogley and published by Meridian Press, for a full statement of the reasons why I believe Mr. Freeman's interpretation of the First Amendment is erroneous.

Here I can only make the following brief comments:

1. When the Supreme Court in the *Everson* case in 1947 stated that the purpose of the First Amendment was to erect "a wall of separation between church and state" it was not making an original statement but was quoting from a unanimous opinion of the United States Supreme Court almost three-quarters of a century earlier (*Reynolds v. U.S.*, 98 U.S. 145, 164 (1847).

2. The argument that legislators who enact laws thereafter declared to be unconstitutional, or officials who enforce those laws are thereby adjudged to have "violated their oath to uphold the Constitution" would effectively prevent the Supreme Court from declaring any law unconstitutional even, for example, the Oregon law seeking to outlaw parochial schools.

3. Since the *Everson* case was decided in 1947 there have been sixteen members of the Supreme Court (excluding Justice White who has not yet had an opportunity to manifest his views). These sixteen were members of all three major faiths, Protestant, Catholic and Jewish. Every one of them (including Justice Reed, who dissented in the *McCollum* case, and Justice Stewart, who dissented in the Regents Prayer case) has at one time or another indicated his agreement with the *Everson* interpretation of the First Amendment.

4. I am certain that there are many public officials in the South who are as convinced that the Supreme Court misinterpreted the Fourteenth Amendment when it ruled racial segregation unconstitutional as Mr. Freeman is convinced that it misinterpreted the First Amendment in the Everson case and those which followed it. (Senator Eastland seems to be equally convinced in respect to both issues.) Nevertheless, there has to be one final authority on the meaning of the Constitution, and under our system of government that authority is the Supreme Court. LEO PFEFFER

EDITORS' NOTE: Many other letters have been received on the subject of "Religion and the Supreme Court." A selection of letters commenting on William B. Ball's article, "The Forbidden Prayer," with a reply by the author, will appear in a subsequent issue.

THE SCREEN

Waltzing Around Again

TO CONTINUE the discussion of foreign films started in the last issue, here are a few more short reviews of the imports that are flooding our screens. Since I was not too impressed with Jean Anouilh's highly overrated stage play, I did not expect too much from the movie version of "Waltz of the Toreadors" (Continental). Now set in England where it was made, "Waltz" still has some of Anouilh's brittle, cynical wit, but scriptwriter Wolf Mankowitz has worked so hard to turn the whole thing into a slapstick movie that it has become more like a race than a satire in waltz time. It is still about an aging roué (Peter Sellers), his cranky, invalid wife (Margaret Leighton), the woman he has been chasing for seventeen years and who now wants a showdown (Dany Robin), the roué's young adjutant (John Fraser), and the wife's doctor (Cyril Cusak). With this good cast, and the film's lovely shots of English countryside, and Anouilh's bright dialogue, the picture should have got somewhere. But the cast isn't quite right, and you never believe that the stupid roué would ever have discarded that stunning Leighton woman. "Waltz" has its funny moments, but it is more like a Mack Sennett comedy than a French cream puff.

ALSO FROM England is a cliché-ridden POW comedy, "A Coming-Out Party," (Union Film) which is distinguished only by the presence of James Robertson Justice as a scientific genius who is captured by the Germans by mistake and maneuvers an escape that provides most of the film's fun. Perhaps if this comedy had turned up twenty years ago it would have seemed hilarious; but during and since World War II, the English have made so many good POW films that this one becomes a somewhat tired also-ran. However, with it is being shown an utterly zany short called "The Case of the Mukkinese Battle-Horn," which gives Peter Sellers a chance to run the gamut of his impersonations. Directed by Joseph Sterling, this little movie is mad from beginning to end. Using a Marx Brothers kind of surrealism, it tells a nonsense story and kids almost every type of movie in the entire history of cinema.

WHEN THE English set their minds to it, they can make a chase thriller as good as anyone's. "Guns of Darkness" (Warners), vaguely set in some Latin American country, but beautifully photographed in Spain, concerns a confused Britisher (David Niven) and his wife (Leslie Caron) whose marriage is going on the rocks and is not helped by the revolutionary confusion in this country. When David proves that he's not just a misfit without values, Leslie sees him in a

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different light; and he has the opportunity to prove himself when he saves the fleeing ex-head of Tribulacion (David Opatoshu). Well-directed by Anthony Asquith, and displaying a few ideas above the standards of an ordinary thriller, and including some first-rate chase sequences, "Guns" will keep you awake.

I'M NOT sure that the French film, "The Girl with the Golden Eyes" (Kingsley-International) will keep you awake. It is certainly a handsome picture with most attractive décor and an effective musical score, but director Jean-Gabriel Albicocco and his scriptwriters seem determined to make everything as obscure as possible. The story, stemming only remotely from Balzac's *L'Histoire des Treize,* concerns the on-again, off-again romance between a young photographer (Paul Guers) and a beautiful girl (Marie Laforet). In a series of chichi and decadent settings, this romance goes on and on, getting more and more mysterious all the time—not only because of the principals' behavior but also because of the film-makers' strange editing and refusal to tell us just where we are most of the time. It isn't until almost at the finale that we and the boy discover that the girl is the property of the boy's lesbian boss. Albicocco is a young and new director. He shows extraordinary promise; but he needs a better script—at least one that is willing to say what it's getting at.

DULL is the word for another French film, "End of Desire" (Continental), in which Maria Schell plays an ill-fated girl whose husband (Christian Marquand) is a boor and an over-sexed brute. The cast, which includes Pascale Petit, as Maria's maid, and Antonella Lualdi, as a neighbor's wife, both pursued by Maria's husband, all try hard enough to put over the grim story, but the script is against them. The mistake, no doubt, was in anyone's thinking that Guy de Maupassant's novel, *Une Vie,* was suitable movie material in the first place; and when badly butchered as it is by this screenplay, it is entirely unlikely. Occasionally Claude Renoir's color photography of nineteenth-century France is quite striking, but photography alone is not enough to sell anyone on this absurd version of the old story.

THE TONE for "Best of Enemies" (Columbia) is set when David Niven, as an English major, says, "No sane man likes war," and Sordi as an Italian captain, answers "The whole thing is ridiculous." It's too bad that real war can't be laughed away as the English-Italian conflict in Abyssinia is in this wacky World War II comedy. Italian producer Dino De Laurentiis and English director Guy Hamilton see to it that both their teams are laughed at equally; and we laugh at them as they laugh at each other, at their ineptitudes, their set customs, and their foolish stubbornnesses. Although the film has been strangely edited, as if its makers decided it was too long and ruthlessly snipped at it here and there just to shorten it, "Best of Enemies" still makes its points well and puts the childishness of war in its place. Niven and Sordi are fine in the lead roles and are well backed by a supporting cast that changes as the locale moves across the desert. The plot, such as it is, along with the well-intended humor, has many poignant scenes, especially at the finale—scenes that remind us that in spite of all this satire on the absurdities in Abyssinia, war, alas, is still war.

PHILIP T. HARTUNG

BOOKS

Three Points of View on Latin America

Latin America Between the Eagle and the Bear. By Salvador de Madariaga. Praeger. $4.50.
Castro's Revolution. By Theodore Draper. Praeger. $4.50.
Cuba Betrayed. By Fulgencio Batista. Vantage. $3.95.

by Lawrence T. King

WHEN Salvador de Madariaga visited Latin America in 1960, he was profoundly disturbed by the extent of Communist influence he found among the continent's intellectuals. *Latin America Between the Eagle and the Bear* is his assessment of the situation.

"No more grievous mistake could be made by the public opinion of the United States," he writes, "than to shrug its shoulders at the pro-Soviet and anti-American wave which is sweeping the intellectual circles of Latin America. From the ranks of these pink professors, poets, doctors and lawyers, the men will be recruited who will actually govern Latin America not merely ten years hence, but maybe next year, or maybe next month. The issue is immediate and urgent; and we must waste no time in facing it."

Madariaga is critical of American businessmen and diplomats who look upon Latin America as an economic hunting ground, but at the same time he is willing to acknowledge the beneficent aspects of American capitalization. He also has some harsh words about certain U.S. economic and political policies which attempt to impose a type of Anglo-Saxon conformity upon peoples proud of their common Spanish heritage. And he directs some righteous anger at our alacrity to embrace any regime—no matter how dictatorial—in the name of anti-Communism.

Despite all this there is no doubt in his mind that the U.S. stands for

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freedom—which explains his exasperation with any form of political expediency tending to diminish the moral authority of the United States in world affairs, especially in Latin America where our enemies are so adept at exploiting any discrepancy between our ideals and our practices.

In his excursion into the past, Madariaga feels strongly that Spain's record in Latin America is far superior to that of any other colonial power in the New World, and he has little patience with Anglo-American writers who blame the current low estate of the continent on its Spanish colonial past. He is acerbic in his criticism of those who idealize the Incas and Mayans because of the beauty of their artifacts but ignore the central fact that these artifacts were incidental backdrops to the integral part of their culture: wanton human sacrifice on a scale that staggers the imagination.

There is one unfortunate slip. In his discussion of the short-lived Communist regime of Jacobo Arbenz Guzman in Guatemala, Madariaga writes that the death of President Juan Jose Arevalo in 1950 paved the way for Arbenz' election. This surely is a case of wishful thinking. Arevalo merely resigned in 1950 and is still very much in evidence in Guatemala, where he once again is contending for the presidency on an unabashedly anti-U.S. platform.

Madariaga's work deserves a wide reading because it gives the American reader an opportunity to view Latin America through the eyes of an objective European observer who sees beyond the U.S.-Soviet power struggle to the more important war of ideas—between political freedom and political servitude.

In *Castro's Revolution,* Theodore Draper provides a penetrating account of what actually happened in Cuba before and after Castro's rise to power. The book is subtitled "Myths and Realities," because it is concerned primarily with demolishing the legends which have been given wide currency in such books as Nathaniel Weyl's *Red Star over Cuba,* which sees the hand of Communism everywhere in the Cuban revolt, and the late C. Wright Mills' *Listen, Yankee!,* which fails to see it anywhere.

Draper feels that the most persistent myth about Castro—that U.S. policy drove him into the Communist camp—was created by pro-Castro intellectuals outside Cuba. Persuasive documentation is offered to show that the U.S. government was more than willing to help Castro when he visited Washington, but the Cuban leader preferred to play the role of a David smiting a Goliath. Later evidence could be produced to show that Castro actually goaded Washington into taking economic action against him to justify —and win Cuban and Latin American popular support for—his turn to Communism.

Draper also takes issue with those who depict the revolt as a peasants' revolution. Castro's 26th of July Movement received its only impetus from a small middle-class element and had little initial success in arousing the interest of either the peasants or the urban workers. His call for a general strike in 1958, for example, was a dismal failure.

Draper details the maneuverings of Cuba's Communists during those eventful days, their willing collaboration with Batista, their eventual success in winning Castro over to their side, the defection of many of the Movement's leaders to the U.S. because of it, and the ultimate fusion of Castroism and Communism.

The abortive Bay of Pigs invasion is brilliantly analyzed, and the events leading up to it are placed in their proper political setting in the confusing Republican - Democratic administrative transition. Draper has no qualms about using force to topple Castro. In fact, he is convinced that that is the only way it can be done. He believes, however, it can best be accomplished through the Cuban underground—he is convinced that it will grow as the Communist tyranny becomes more oppressive—but freedom-loving nations must provide the necessary means of getting the job done.

If we are to take Fulgencio Batista's *Cuba Betrayed* at face value, his pre-Castro regime was a model of democracy and social progress. This is nonsense. Cuba certainly was betrayed by Castro; but it was because it was first betrayed by Batista.

I approached this book hoping it might shed some light on the military aspect of the revolt: how a band of one hundred and eighty men in the Sierra Nuestra could defeat a well-trained and equipped army of 40,000. I looked in vain for the answer. Perhaps Batista did not offer it because it was so obvious: the Cuban people were so fed up with him that they would have welcomed Satan himself as a liberator.

Draper maintains that Castro did not defeat Batista in a military sense—Batista defeated himself. Batista's own *apologia* bears this out, for it leaves the overriding impression that he was not trusted even by his own military leaders, who were constantly being reshuffled and reprimanded—Batista does not mention executions—when they were not deserting or selling out to Castro.

Most of the three hundred and thirty-two pages of *Cuba Betrayed* are devoted to Batista's answers to Castro's charges against him. At this stage of the Cuban tragedy, what could be more be ludicrous than two bloody despots debating the merits of their respective tyrannies?

Agee and the Writer's Vocation

Letters of James Agee to Father Flye. Braziller. $5.

by William Dunlea

IN THE years since his death a mythopoeic aura has surrounded the name of James Rufus Agee. Speculation persists concerning the great work he would have done had he lived, and no recent writer has been remembered so admiringly for what he did not write. There are many reasons for welcoming the publication of this first volume of his correspondence, not the least of them being that through it we can see the writer and the man Agee as he saw himself.

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The letters date from 1925 when Agee was a student at Exeter, to 1955, the year of his death. For six years preceding this period, Father Flye had been his teacher at St. Andrew's, a boys' school near Sewanee, Tenn., run by an Episcopal monastic order. Though apart many years, Father Flye and Agee shared a close bond of love and friendship, which inspired the warmth and candor of these letters.

In the earliest letter, when Agee was not quite sixteen, he tells of having a story and several poems in the Exeter *Monthly*. At eighteen he receives encouragement from Robert Frost, among others, on his play *Menalcas*, whereupon he vows he will not "write ads or sell bonds or do anything except write." (In this letter he calls Hilda Doolittle Eliza; extenuating circumstance: he had also written a *Pygmalion*.) Along with his talent his critical capabilities are stirring, as is also the melancholia that was later to plague him in severe depressive cycles. At nineteen, a while after entering Harvard, he has temporarily written himself out in an overambitious piece of which he tells nothing further. On the eve of his twenty-first birthday he reaffirms his vocation as one of "horrible definiteness" and confesses to aspire to "combine what Chekhov did with what Shakespeare did without seeming ridiculous" yet that he lacks faith in his ability to become more than a very minor writer; the heroic scale of his aspirations seems to inhibit his effort.

He engineers a parody of Time-style in the Harvard *Advocate* which ricochets in a decade of unsigned articles for *Fortune*, after which he goes on to serve *Time* for another decade as a film critic. Within a year of his induction at Rockefeller Plaza he is half-seriously talking of suicide in the first of an intermittent but permanent series of letters in which a feeling of creative aridity is complicated by a premonition of early death.

Before long he embarks on the first of three marriages (about which he communicates nothing very tangible) and sees his first book of poems published (*Permit Me Voyage*, 1934). To mark the latter event he gets down the most despondent of all the letters of this period, only to append another under the same date as feverishly inventive of hopeful possibilities as the former was morbidly anguished. This emotional counterpoint keeps recurring, as when in 1936 he speaks of his "betrayal" while giving every sign that he is aware of self-laceration. In 1939 he greets his thirtieth birthday by chiding himself for lacking "the courage and stamina to write poetry"; yet this dark epistle does not lack glimmers of the nostalgia for childhood faith and peace so infectious in his future novella, *Morning Watch*. Always at crucial moments he recognizes that "my active interest far exceeds my despair in things." In writing *Let Us Now Praise Famous Men*, whose subject was limited to three tenant families in Alabama in the mid-thirties, he found himself "obsessed with the whole problem and nature of existence"; the result was that after laboring on the book for long months he announced in the preface that the entire work was a preface.

Agee approached all of his writing as he did that book: he never seemed to know just where he wanted to go, though he knew he wasn't getting there. In everything he did, however, he was very much his own man: a poet of originality, an independent critic, and insofar as we are able to follow its evolution in these pages, a man of bold moral conviction. He had lost the Christian levers for it, however, and found no others; this may well have been the source of his greatest pain, because the roots of belief remained embedded. He longed for commitment, but was of a sensibility pre-committed to self-doubt ("sincerity, that damnable and limiting word"). This at least prevented him from being defrauded by Communism, which he barely fended off in the thirties.

No doubt Agee was a collectivist in political orientation, but spiritually he was a libertarian humanist Father Flye calls him a "natural Christian," while Agee styled himself an anarchist; many of his literary friends speak of his whole life as having mystically represented a "rebellion." If so, it remained always a little unfledged. Moreover, it seems a strange rebellion that chooses the Luce enterprises for its arena; but of course this compromise, if thus it be, has called forth sufficient lamentation. Rather does it seem that his violence was turned inward; indeed he perceived in himself a "strong drive to self-destruction."

Irresoluteness, not rebellion, had characterized Agee's career; and it was irresoluteness more than rebellion which was responsible for his failure to cut down on alcohol after the warning of the first heart seizures. He had given too much of his talent to drudge work unworthy of it; yet the talent like the temperament was erratic. Ambivalence was with him to the end, but he held despair at bay.

Agee's last years were filled with writing he wanted to do, culminating in the not-quite-finished *A Death In the Family*. His final letters to Father Flye abound in outlines for future work. They also bear evidence that Agee's "shapeless personal religious sense," as he described it, was quickening.

Monastic Life, Past and Present

The Principles of Monasticism. By Maurus Wolter, O.S.B. Translated and edited by Bernard A. Sause, O.S.B. Herder. $12.00.

by Ronald Roloff

AT THE beginning of the 19th century, monasticism had virtually ceased to exist as an institution. The religious revolutions of the sixteenth century and the political upheavals of the eighteenth had been accompanied by such wholesale confiscation of monasteries and dispersal of their inhabitants that it was only the unusual, isolated and unimportant house that was able to survive.

But monasticism is an indigenous element in any religion which proposes a lofty spiritual ideal. The

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workaday world, in its principles and tendencies, conspires to reduce ideals to a minimum, and to force a compromise between elements of reality and truth which are fundamentally incapable of compromise. Monasticism is the eternal reply to such minimalism and rationalizing, and if it is eradicated in one place it will spring up in another, for it is a response to the perennial breathing of the Spirit.

The two great monastic restorers of the nineteenth century, Dom Prosper Guéranger of Solesmes and Dom Maurus Wolter of Beuron, were convinced that any restoration of monasticism must be based on the solid tradition of past ages. With the approval of a group of abbots who assembled at Prague in 1868, they enunciated seven monastic principles which they considered fundamental —conventual life, prayer, poverty, mortification, work, charity, and government—and Abbot Maurus undertook the task of substantiating the traditional interpretation of these principles.

The work of digging up tradition was carried on by all the monks of the new German congregation. They read every book on monasticism they could lay their hands on, and scanned every sermon of the Fathers and the decrees of every Council for any pertinent reference. The hundreds of passages which they laboriously copied out were then reduced to manageable form by Abbot Maurus. Cutting away everything that was not in harmony with traditional monastic life, reducing every statement to its core, he produced a book of 840 pages containing 2,334 statements, grouped under the seven principles *(Praecipua ordinis monastici elementa)*. This encyclopedia of monastic ideals, as they had been conceived and realized in the past, became the bible of the new French and Beuronese Congregations of Benedictines.

Father Bernard Sause, O.S.B., has done monasticism (and religious life in general) a tremendous service by producing an English edition of this monumental work. The translation is well done, every statement is fully authenticated, an index makes use of the volume easy, and a lengthy bibliography enables the reader to pursue at greater length the ideas which are presented only in essence in the text.

The value of this English edition is not merely antiquarian. At a period in history when new developments are occurring at every level of personal and social life, it is becoming increasingly evident that monks must engage in a continuing reappraisal of their attitudes and activities if they are to maintain a meaningful and useful ideal in the midst of rapidly changing circumstances.

The first truth of which they must be aware—and which is presented so strongly in Abbot Maurus' work—is the fact that monasticism took root in the desert. The desert gave us three principles: withdrawal from the world, a yearning expectation of the world to come, and asceticism; and these three principles must characterize monasticism in every situation, if it is to be true to itself.

These three principles cannot, however, be the exclusive foundations of modern monastic life, at least in many situations, since local circumstances and the wish of the Church have caused many monks (especially in the United States) to become involved in apostolic works of all kinds. This involvement with the world has created a fourth foundation of modern monastic life: the responsibility of monks toward third parties, for whom they are obligated to perform certain services—and to perform them, indeed, in the best manner possible.

It is this element that does not receive consideration in Abbot Maurus' book. Work is indeed one of the principles of monasticism for him, as it was for St. Benedict; but Maurus does not tolerate any kind of work which involves responsibilities toward persons outside the monastery. The labor of the monks must always be such that it can be carried on within a daily schedule that is shaped around the hours of prayer and meditation. It is not surprising, therefore, that the Beuronese and French Congregations to this day do not conduct schools or assume any specific type of external responsibility. Their work consists rather in scholarly research (the French in Gregorian chant, the Beuronese in liturgical studies and art), or such activities as retreats and study weeks which can be carried on without violation of the monastic horarium.

In America, on the other hand, the monks began their life in a frontier situation, in which they were necessarily involved in parochial and educational labors. Their monastic life grew up around these activities—to such an extent that it almost seemed, at one time, that the monasteries had been founded in order to engage in them, rather than they being the overflow or flowering of the interior

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lives of the monks. It is for this reason that Abbot Maurus' book can be a salutary, steadying influence in American monastic life; for external responsibilities have a way of assuming full command, to the detriment of those elements of monasticism which have sprung from the desert, and without which any kind of monastic existence becomes abortive.

The makings of a tragedy are present here, however. Human nature has an insatiable urge to simplify things; throughout history, monasticism has been plagued by extremists of all kinds, who want either more liturgy or more fasting or more scholarship or what have you. Today American Benedictines are tempted by two extremes: that of absolute withdrawal from the world, after the manner of Trappists, or of absolute commitment to apostolic works, after the manner of Jesuits.

Yet, I believe that the true spirit of St. Benedict does not embrace either; and if American Benedictines are to preserve their heritage they must be willing to admit complexity into their lives. They must be willing to perform the arduous task of constantly balancing prayer and work, withdrawal and commitment, the desert and the modern Church. Abbot Maurus and Father Bernard have given us an authentic statement of one part of this picture: the traditional concept of monastic life. It is up to us to provide an equally authentic statement of the problems and ideals which they did not consider.

REVIEWERS

Lawrence T. King, a frequent contributor to *The Commonweal*, is a newspaperman in California.

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ART

Varieties of Lyricism

THE WHITNEY Museum exhibit modestly entitled *Forty Artists Under Forty*, which claims only "to present a cross-section of the younger generation, chosen for diversity of viewpoints and styles, ranging all the way from realistic representation to pure abstraction," turns out to be even more than that. It is, in fact, a very impressive show of under-forty American talent in the field of painting (a limited group of sculpture is included). All the paintings (and the sculpture) were selected from the Whitney collection, and a sensitive disposition to choose the best of each breed achieved results that appear to justify some interesting conclusions.

Given the expressed intention of the enterprise, this presentation could so easily have been just a grab-bag affair. Instead, it creates the impression of a lively and distinguished assembly of peers. With few exceptions the painters seem highly gifted, serious about their work, and to have something very warmly and winningly personal to state. It is this last quality that adds a welcome and unexpected note of harmony among so many disparate elements, and strikes the viewer suddenly as being a ponderable quality among American painters of wildly different persuasions that amiably assists one to live in a pluralistic art-world.

A dominant strain of subjective lyricism runs through the majority of these American painters, from the most abstract like Stamos, Rauschenberg and Ippolito to the most representational like Birmelin, Kamihira, Marcus and Yerxa. In the middle ground, where lyricized images flourish in paintings like Mayhew's beautiful *Morning Bush*, Okamura's

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Fog In The Valley and Eades' *Survivors,* the "painting idea" is obviously a brief, moving, subjective expression of "mood" before the face of reality. But this is none the less so in Stamos' *High Snow, Low Sun*—a lyrical outburst in abstract terms—or in Yerxa's *Deserted Warehouse,* a lyrical celebration of a fully represented reality.

In the pertinent catalogue for the exhibit prepared by Lloyd Goodrich a number of statements by the artists involved are included. In one of them Gaudy Brodie speaks of the "untold visions of the world." This rather awkward painterly phrase expresses what is essentially the desire of every artist, to the extent that every work of art is the artist's subjective view of reality. The lyrical artist, however, is one whose view is couched in terms that are brief, hermetic incantations of a mood. Since the Whitney exhibit is not more than a judicious sampling of our well-known painters under forty, it would be reckless to deduce that our newest contemporary painting is pronouncedly lyrical in character. But it at least seems possible to say that this tendency is strong and effective in our younger artists; in the midst of diversity of styles and content, it is a unifying trait. It is, moreover, a trait that has its roots in the American past, in artists as diverse as Bingham, Ryder, Eakins and Arthur Dove.

A curious footnote to this exhibit is the very limited and unimpressive group of sculpture presented. Shows of sculpture during the past few years have led many people to feel that contemporary artists were producing more solid and distinguished work in this field than in painting, so that this is a strange reversal of roles. Whether this is due to a limitation in the Whitney collection or a simple question of birthdates (the absence of Baskin, for instance, may be a matter of being born in the wrong month in 1922) it dramatizes the limits of this otherwise most impressive exhibition.

Forty Artists Under Forty is the first exhibition promoted for the new program of the New York State Council on the Arts, and will be circulated to museums throughout the state by the American Federation of Arts. New York in inaugurating the first extensive state project of this kind, and merits our best wishes and compliments for its auspicious beginning.

BETTY KAUFMAN

Schedule for Exhibit

Whitney Museum, N.Y.: July 23 to Sept. 16, 1962
Munson-Williams-Proctor Institute, Utica: Oct. 14-Nov. 18, 1962
Rochester Memorial Art Gallery: Dec. 2-31, 1962
Roberson Memorial Center, Binghamton: Jan. 15-Feb. 17, 1963
Albany Institute of History and Art: March 3-31, 1963
Everson Museum of Art, Syracuse: Apr. 14-May 12, 1963
Andrew Dickson White Museum of Art, Cornell U., Ithaca: May 26-June 23, 1963
Albright-Knox Art Gallery, Buffalo: July 7-Aug. 4, 1963

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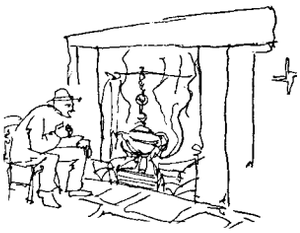

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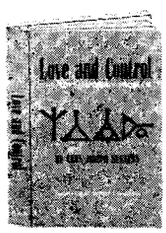

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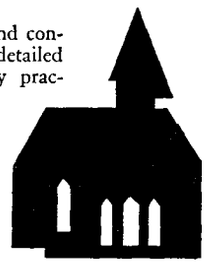

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